



# GENERAL ASSEMBLY

## COMMONWEALTH OF KENTUCKY

### 2006 REGULAR SESSION

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HOUSE BILL NO. 333

AS ENACTED

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MONDAY, MARCH 20, 2006

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RECEIVED AND FILED  
DATE March 27, 2006  
2:15 pm  
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TREY GRAYSON  
SECRETARY OF STATE  
COMMONWEALTH OF KENTUCKY  
BY R. J. Keller

AN ACT relating to crimes and punishments and declaring an emergency.

WHEREAS, certain despicable individuals have been disrupting the funerals of soldiers who died while serving in the United States Armed Forces; and

WHEREAS, these disruptions have taken such forms as shouting insults at the parents of the fallen; and

WHEREAS, the military dead and their families deserve respect and compassion; and

WHEREAS, all mourners should be left in peace;

NOW THEREFORE,

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

SECTION 1. A NEW SECTION OF KRS CHAPTER 525 IS CREATED TO  
READ AS FOLLOWS:

(1) A person is guilty of disorderly conduct in the first degree when he or she:

(a) In a public place and with intent to cause public inconvenience, annoyance, or alarm, or wantonly creating a risk thereof:

1. Engages in fighting or in violent, tumultuous, or threatening behavior;

2. Makes unreasonable noise; or

3. Creates a hazardous or physically offensive condition by any act that serves no legitimate purpose; and

(b) Acts in a way described in paragraph (a) of this subsection within three hundred (300) feet of a:

1. Cemetery during a funeral or burial;

2. Funeral home during the viewing of a deceased person;

3. Funeral procession; or

4. Building in which a funeral or memorial service is being conducted;

and

1        (c) Knows that he or she is within three hundred (300) feet of an occasion  
 2        described in paragraph (b) of this subsection.

3        (2) Disorderly conduct in the first degree is a Class A misdemeanor.

4        Section 2. KRS 525.060 is amended to read as follows:

5        (1) A person is guilty of disorderly conduct in the second degree when in a public  
 6        place and with intent to cause public inconvenience, annoyance, or alarm, or  
 7        wantonly creating a risk thereof, he:

8        (a) Engages in fighting or in violent, tumultuous, or threatening behavior;~~[-or]~~

9        (b) Makes unreasonable noise;~~[-or]~~

10       (c) Refuses to obey an official order to disperse issued to maintain public safety  
 11       in dangerous proximity to a fire, hazard, or other emergency; or

12       (d) Creates a hazardous or physically offensive condition by any act that serves no  
 13       legitimate purpose.

14       (2) Disorderly conduct in the second degree is a Class B misdemeanor.

15       SECTION 3. A NEW SECTION OF KRS CHAPTER 525 IS CREATED TO  
 16       READ AS FOLLOWS:

17       (1) A person is guilty of disrupting meetings and processions in the first degree  
 18       when, with intent to prevent or disrupt a funeral or burial, funeral home viewing  
 19       of a deceased person, funeral procession, or funeral or memorial service for a  
 20       deceased person, he or she does any act tending to obstruct or interfere with it  
 21       physically or makes any utterance, gesture, or display designed to outrage the  
 22       sensibilities of the group attending the occasion.

23       (2) Disrupting meetings and processions in the first degree is a Class A  
 24       misdemeanor.

25       Section 4. KRS 525.150 is amended to read as follows:

26       (1) A person is guilty of disrupting meetings and processions in the second degree  
 27       when, with intent to prevent or disrupt a lawful meeting, procession, or gathering,

1 he or she does any act tending to obstruct or interfere with it physically or makes  
2 any utterance, gesture, or display designed to outrage the sensibilities of the group.

3 (2) Disrupting meetings and processions in the second degree is a Class B  
4 misdemeanor.

5 SECTION 5. A NEW SECTION OF KRS CHAPTER 525 IS CREATED TO  
6 READ AS FOLLOWS:

7 (1) A person is guilty of interference with a funeral when he or she at any time on  
8 any day:

9 (a) Blocks, impedes, inhibits, or in any other manner obstructs or interferes  
10 with access into or from any building or parking lot of a building in which a  
11 funeral, wake, memorial service, or burial is being conducted, or any burial  
12 plot or the parking lot of the cemetery in which a funeral, wake, memorial  
13 service, or burial is being conducted;

14 (b) Congregates, pickets, patrols, demonstrates, or enters on that portion of a  
15 public right-of-way or private property that is within three hundred (300)  
16 feet of an event specified in paragraph (a) of this subsection; or

17 (c) Without authorization from the family of the deceased or person conducting  
18 the service, during a funeral, wake, memorial service, or burial:

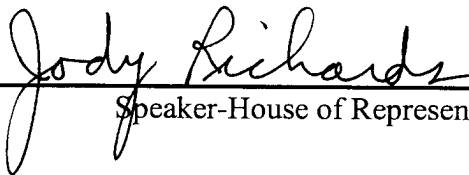
19 1. Sings, chants, whistles, shouts, yells, or uses a bullhorn, auto horn,  
20 sound amplification equipment, or other sounds or images observable  
21 to or within earshot of participants in the funeral, wake, memorial  
22 service, or burial; or

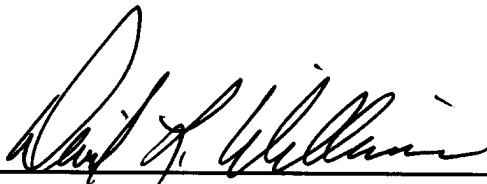
23 2. Distributes literature or any other item.

24 (2) Interference with a funeral is a Class B misdemeanor.

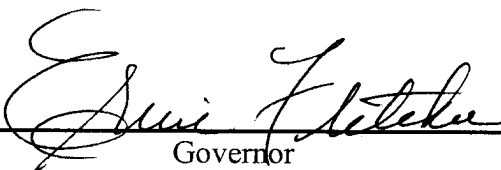
25 Section 6. Whereas there is a disgraceful nationwide campaign to disrupt military  
26 funerals, and whereas this campaign may enter Kentucky at any time, an emergency is  
27 declared to exist, and this Act takes effect upon its passage and approval by the Governor

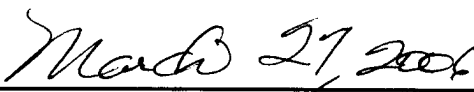
1 or upon its otherwise becoming a law.

  
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Speaker-House of Representatives

  
\_\_\_\_\_  
President of the Senate

Attest:   
\_\_\_\_\_  
Chief Clerk of House of Representatives

Approved   
\_\_\_\_\_  
Governor

Date   
\_\_\_\_\_